

Section II: REMARKS

It is respectfully requested that the present amendment be entered in the RCE application and that the changes as noted above in Section I be made to the application.

In the Office Action mailed 6/18/2003, it was alleged that the Information Disclosure Statement (IDS) was missing from the file. That allegation is incorrect. Applicant sent the original negative IDS on 2/26/2001 and a copy of that negative IDS and post card receipt with the previous Amendment which was mailed on 4/14/2003. Since there was no search conducted prior to the filing of the original application, no references were cited and the Disclosure Statement was therefore a "negative" IDS. The question is now considered moot since a formal and extensive Patent Office search has been conducted and prior art references have been cited. Applicant has not conducted any prior art searches since filing and is not aware of any art other than that cited by the Examiner.

Next in the Office Action, the Examiner stated that the features upon which applicant relies, i.e. "approve or disapprove charges on an item-by-item basis" were not recited in the rejected claims. As herein amended, the "item-by-item" feature identified by the Examiner has been included in all of the independent claims as suggested by the Examiner and the application, as herein amended, is now believed to be in condition for allowance.

More specifically, Independent claims 1, 9 and 17 have herein been amended to include the "item-by-item" feature identified by the Examiner. The added language, together with the previous amendments to the claims, is submitted to clearly distinguish the present invention over the cited references. With the present

amendment, the present application, including claims 1-17, is submitted to be in condition for allowance.

Next, claims 1-2, 4, 9-10, 12 and 17 were rejected under 35 USC 103(a) as being unpatentable over Cross (U.S. Patent 6,144,726, hereinafter "Cross") in view of Custy et al (U.S. Patent 5,774,879, hereinafter "Custy"), and claims 3, 5-8, 11 and 13-16 were rejected under 35 USC 103(a) as being unpatentable over Cross, in view of Custy and in still further view of Bartoli et al (U.S. Patent 6,047,268). The Custy reference was cited for the first time in the Final Office Action. The above noted rejections are respectfully traversed, especially in view of the inclusion of the "item-by-item" feature in the claims as suggested by the Examiner in the Final Office Action.

The "item-by-item" feature has been added to the claims in order to further the prosecution of the present application, and without waiving any of applicant's rights to argue the allowability of the originally presented claims in a subsequent appeal or other proceeding in the event that the Examiner does not concur that the present amendment places the application in condition for allowance. Applicant has herein amended the claims as noted, either directly or through dependence, to further clarify the recitation of the present invention and to even more clearly distinguish the present invention over the cited references, thereby obviating the noted rejections.

It is noted that the present application discloses a system and methodology for enabling user approval or disapproval of charges to be made against a user's custom-designed account report on an item-by-item basis. As disclosed, a user is enabled to provide the user's preferences with regard to certain characteristics of a charge account report or statement. A periodic report or statement is then assembled in accordance with the user's

preferences and the user is then enabled to approve or disapprove reported charges to the user's account on an item-by-item basis and communicate the approval/disapproval information to an account server for further processing.

The Cross reference discloses a system in which charges are verified by comparing charges made to a database of standard charges and/or rates to determine if any of the current charges are out of line with the stored database information. A dispute report is then automatically generated if any of the charges are out of line. Cross does not enable user input to approve or disapprove charges **on an item-by-item basis**. Further, Cross does not show or even suggest any means by which a user is enabled to design certain characteristics of the charge statement or report to facilitate the user's review of the charges. In the last Office Action, it was admitted that "Cross does not specifically teach the charge account report is a customized charge account report" that was generated according to the user's preferences as is recited in the claims, but then the Examiner further states, without a citation, that the customization feature would be obvious because "it would allow the user to better organizing and understanding (sic) his or her charge account report". It is submitted that invention cannot be denied because it serves a beneficial purpose. All good inventions serve beneficial and useful purposes - that characteristic is a requirement for invention and not a reason to declare an invention obvious.

Bartoli discloses a method and apparatus for billing for transactions conducted over the Internet but does not disclose or even suggest a means by which the user is enabled to define certain characteristics of a report or statement (such as frequency of the report and/or minimums or maximums) to the user showing charges made for user approval or disapproval on an item-by-item basis as is clearly taught and claimed in the present application.

The newly cited Custy reference is directed to an improved automated financial instrument processing system and method of operation in which various institutional grammar files can be integrated into report formats. There is no teaching, disclosure or even suggestion in Custy for the customization of a charge account report in combination with the enablement of user input to indicate approvals or disapprovals of charges on an item-by-item basis as is clearly recited in the claims as herein amended. In Custy, once a report is designed with a user's particular terminology, the report is automatically generated. There is no subsequent presenting of a customized charge account with a listing of charge transactions which can be approved or disapproved by the user on an item-by-item basis as is clearly recited in the amended claims.

Each of the three primary references shows similar individual **pieces and parts of the present invention in totally different contexts**. There is no nexus in any of the references to even suggest the combination of any two or all three of the references in any manner for any productive purpose. The similarity of various pieces and parts of the references as noted on pages 3-6 of the above Office Action has been noted but it is believed that there is no disclosure or motivation within any of the references, or nexus among the references, to even suggest the total combination of elements and relationships as recited in the claims as herein amended. It is submitted that all inventions can be broken down into incremental individual parts and each incremental individual part can generally be found in published references. However, where there is no teaching or suggestion in any of the references for the specific total combination of elements and relationships among those elements, as claimed by an applicant, it is submitted to be inappropriate to search the prior art using applicant's own disclosure as a recipe, to find

piecemeal prior art references for individual components, and then to combine those references in a manner disclosed only by the applicant in order to reject applicant's own claims.

As noted above, the present application includes claims 1-17 of which claims 1, 9 and 17 are independent and the remaining claims are dependent from one of the independent claims. With the present amendment, all of the independent claims 1, 9 and 17 have herein been amended to include the user report design enablement feature in combination with the "item-by-item" approval/disapproval feature as suggested by the Examiner. Together, the recited features are submitted to clearly distinguish the present invention from the cited references. As noted above, none of the cited references teaches or even suggests enabling a user to provide input to customize a charge report in accordance with user-selected preferences in combination with providing that customized report back to the user to approve or disapprove charges listed on the custom report on an item-by-item basis. Thus, it is submitted that claims 1-17 as herein amended are clearly allowable under 35 USC 103(a) over Cross, Custy and/or Bartoli, taken individually or in any combination.

Thus, it is submitted that claims 1-17, as herein presented, are believed to be in condition for allowance, an early notice of which is hereby requested. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting the allowance of this application, the Examiner is invited to contact

the undersigned at the telephone number indicated below. The Examiner's attention to this matter is greatly appreciated.

Respectfully submitted,



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